

PATENT #4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Junji FUJIKAWA et al

Art Unit:

S. N. 09/830,598

Examiner:

International S.N.: PCT/JP00/06038

Filed: April 27, 2001

International Filing Date: 6 September 2000

For: HALFTONE PHASE SHIFT PHOTOMASK,
AND HALFTONE PHASE SHIFT PHOTOMASK
BLANK FOR THE FABRICATION OF THE SAME

Petition under 37 CFR 1.182
REQUEST FOR RECONSIDERATION

RECEIVED

25 OCT 2001

Legal Staff
International Division

Attention: PCT Legal Office

Box PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Applicants respectfully request reconsideration of the decision mailed August 14, 2001, wherein applicants' request to correct the name "misspelling" in this application was refused. The U.S. Patent and Trademark Office in denying the first request to correct this spelling error, states that it is not a spelling or typographical error. The difference between the name TAKAFUMI and TAKASHI is in fact a typographical or spelling error. While it may not appear so when the Japanese names are translated into English, the error is a perfectly natural

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typographical or transliterational error in the Japanese language.

The inventor in question is named Takafumi Okamura (first name, last name). The inventor's name is listed as OKAMURA, Takashi on the international publication WO01/20400.

The Kanji characters for the inventor's first name are:

崇史. See the attached highlighted portion of the PCT publication of the international application (WO 01/20400). Also, a copy of the published Japanese application 2001-083687, which is the publication of the priority Japanese application 11/255746, is provided, with the appropriate characters highlighted. The first kanji character of the inventor's first name, 崇, is pronounced "taka" and the second, 史, is pronounced "fumi".

However, in the Japanese language, Kanji characters typically have more than one pronunciation that is associated with a given character. Here, another pronunciation for the second character of the inventor's first name (史) is "shi". Thus, when the International application was prepared and the English abstract in the Japanese Patent Office publication, a transliterational or typographical error occurred, wherein the pronunciation "shi" was entered when converting the Kanji to the pronunciation or when providing an English transliteration of

the name, rather than the correct pronunciation for this individual inventor of "fumi". Thus, the error is merely one of phonetic misspelling in the Japanese language, even though it does not initially appear to be so once the characters are transliterated to roman characters as used in the English language. Any person familiar with the Japanese language would immediately see this and understand this as a transliterational error, which would equate to a spelling error in English.

Attached herewith are several entries from a Japanese language name reference book and a Kanji dictionary, to illustrate the point.

First, an entry from the book Japanese Names, A Comprehensive Index by Characters and Readings, by P.G. O'Neill (3rd. Edition, 1993) shows that the character 史 can be pronounced as shi, chika, fumi, mi, hito, or funo, when used in a name. (see entry 183, page 35, Japanese Names).

Also, an entry printed from an online Kanji dictionary dictionary, Jim Breen's WWWJDIC Server, (<http://www.csse.monash.edu.au/~jwb/wwwjdic.html>) showing the character 史. Mr. Breen is a professor at Monash University, in Australia, and has an ongoing interest in the Japanese language. The underlined portion of the entry from this Kanji dictionary (underlining provided by applicants' attorney) lists various pronunciations for this particular character. The

pronunciations are given in Katakana and Hiragana (the Japanese syllabaries) and transliterate as follows:

shi (シ), akira (あきら), aya (あや), o (お),
ko (こ), chika (ちか), toshi (とし), naka (な
か), nobu (のぶ), hisa (ひさ), hito (ひと), and
fumi (ふみ).

Arrows have been added to point to the SHI (シ) and
FUMI (ふみ) entries.

Thus, it is respectfully requested that the request be
granted to correct the spelling error in the name of the
inventor, Takafumi Okamura, as it is respectfully submitted that
this is clearly a "spelling" or "transliteration" error that
arises from converting the Kanji characters of the applicant's
name to English language equivalents.

Regarding the point noted by the U.S. Patent and Trademark
Office of the first inventor being listed as Fijikawa on the
international application while the declaration listing the
family name of this inventor as Fujikawa, this is a
typographical error that occurred somewhere within the
International Bureau. The characters "u" and "i" are adjacent
on an English language keyboard and apparently a typographical
error occurred. A copy of the PCT request showing the
inventor's name as Fujikawa is attached. There is no

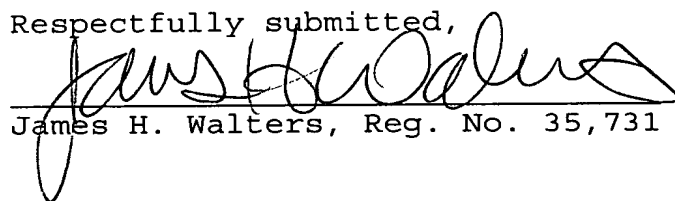
representation of the sound "fi" in the Japanese syllabary, hence such a name of Fijikawa is not possible in Japanese. It is respectfully requested that therefore, this obvious error by the International Bureau in preparing the international publication be corrected. Note also that the name is given as Fujikawa in the English abstract of the JP 2001-083687 publication mentioned above.

In view of the above remarks and the attachments provided herein, it is respectfully requested that the applicant's name be corrected as requested, since it is believed to be properly characterized as a misspelling or typographical type error.

The petition fee is enclosed herewith.

Please contact the undersigned if there are any questions.

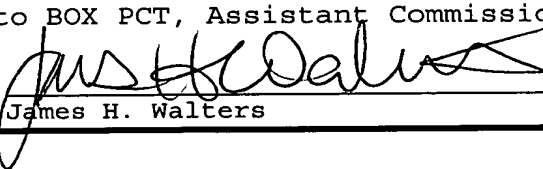
Respectfully submitted,


James H. Walters, Reg. No. 35,731

DELLETT AND WALTERS
Suite 1101
310 S. W. Fourth Avenue
Portland, Oregon 97204 US
(503) 224-0115

Certification Under 37 CFR 1.10

I hereby certify that this Response and the documents and fees referred to as enclosed therein are being deposited with the United States Postal Service on this 11th day of October, 2001, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL898 005664 US addressed to BOX PCT, Assistant Commissioner for Patents, Washington, D. C. 20231


James H. Walters